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From: Grantham, Nancy
Sent: Sun 9/13/2015 12:46:08 PM
Subject: FW: Daily Times Farmington - EPA releases notification plan

From: Gray, David
Sent: Sunday, September 13, 2015 8:43 AM
To: Grantham, Nancy; Allen, Laura; Harrison, Melissa; Reynolds, Thomas; Hull, George
Cc: Gray, David
Subject: Daily Times Farmington - EPA releases notification plan

Environmental Protection Agency releases notification plan

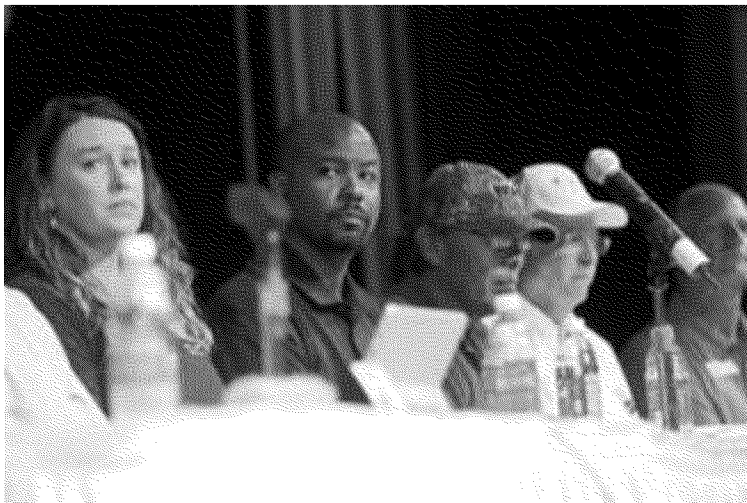
Agency: 'We are taking a long-term approach to improving downstream notification'

By Dan Schwartz The Daily Times

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San Juan County Executive Office Kim Carpenter speaks with Rep. Ben Ray Luján, D-N.M., during a town hall meeting Aug. 8 at the Farmington Civic Center about the Gold King Mine spill. (Daily Times file photo)



From left, Bonnie Hopkins, an agriculture agent with the New Mexico State University Cooperative's San Juan County Extension Office; Mark Hayes, on-scene coordinator for the U.S. Environmental Protection Agency Region 6; David Nez, with the Navajo Nation Public Health Emergency Preparedness office; Ron Rosen, project director for CH2M Hill; and Ed Smylie, the city of Farmington's emergency preparedness manager, participate in a town hall meeting Aug. 8 about the Gold King Mine spill at the Farmington Civic Center. (Daily Times file photo)

FARMINGTON — The Environmental Protection Agency released documents earlier this week that outline how the agency plans to alert communities downstream in case the Gold King Mine outside Silverton, Colo., experiences another spill.

The plan defines alert levels for a spill or any mining activity that would impact the watershed downstream of the mine, and it outlines when EPA officials would notify nearby communities within the affected watershed.

The Gold King Mine spill in early August — which led to the release of more than 3 million gallons of toxic wastewater — would have fallen into the highest alert level on the plan. Under that level, an EPA on-scene coordinator based in Durango, Colo., would alert an EPA command center "as soon as practical," according to the plan.

The command center would then "immediately" notify a command center in Durango, Colo., and send emails to all communities included on a "stakeholder list," according to the plan. The EPA command center also would verbally alert all stakeholder agencies "as soon as practical," according to the plan.

The last step would be for the EPA command center to schedule a briefing with the stakeholders "as soon as practical," according to the plan.

But New Mexico Environment Department officials said the plan is inadequate.

"We continue to have concerns about EPA's ability to communicate effectively," department spokeswoman Allison Scott Majure said.

She said the plan should also be a part of a larger corrective action plan, and the EPA should work with the New Mexico Department of Homeland Security "directly regarding this."

Since the spill, local, state and federal officials have criticized the EPA for what they describe as a poor job of notifying downstream communities in New Mexico and other states.

"According to an EPA memorandum, the release occurred on Aug. 5 at 10:51 a.m.," U.S. Rep. Ben Ray Lujan, D-N.M., said in a congressional subcommittee meeting on Friday. "However, EPA headquarters, Region 6 and Region 9 were not notified until 11 a.m. the next morning."

Region 6 includes New Mexico. Region 9 covers Arizona.

EPA officials were not immediately available to respond to the criticism, but spokesman David Gray said in an email earlier on Friday that the agency has set no date for the on-scene coordinator in Durango, Colo., to leave. He said the plan will remain in effect as long as work continues at the Gold King Mine.

"So I think it is fair to say that we are taking a long-term approach to improving downstream notification beyond" the plan, he said.

The Navajo Nation Office of the President and Vice President did not respond to a request for comment.

Gray said the EPA could not release the stakeholder list referenced in the plan because lawyers

are reviewing it for privacy act compliance, but he provided the names of the communities included on it. It includes a number of Colorado agencies but also the New Mexico Environment Department, San Juan County and the Navajo Nation, as well as Arizona and Utah agencies.

San Juan County Emergency Manager Don Cooper said the notification plan hinges on the EPA keeping an on-scene coordinator in Durango, Colo. And that person, he said, has to get the word to the county in an emergency.

"They've got to let us know, and that's all we care about," he said. "I just want to know."

Dan Schwartz covers government for The Daily Times. He can be reached at 505-564-4606 and dschwartz@daily-times.com. Follow him [@dtdschwartz](https://twitter.com/dtdschwartz) on Twitter